

**SANDUSKY COUNTY
PERSONNEL POLICY AND PROCEDURE MANUAL**

DISCRIMINATORY HARASSMENT

**SECTION 5.14
PAGE 1 OF 4**

- A. Unlawful harassment is a form of discrimination that violates Title VII of the Civil Rights Act of 1964 and other state and federal authority. Sandusky County strictly prohibits harassment of employees in the workplace by any person, in any form. Specifically, it is both illegal and against County policy for any employee, male or female, to harass another employee. Unwelcome harassing conduct will not be tolerated.
- B. Harassment is unwelcome verbal or physical conduct based on race, color, religion, sex (whether or not of a sexual nature and including same-gender harassment and gender identity harassment, and pregnancy), national origin, age (40 or older), disability (mental or physical), military status or genetic information. Harassment becomes unlawful when:
1. Enduring the offensive conduct becomes a condition of continued employment (i.e. promotion, demotion, benefits, wages.)
 2. The conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.
 3. Unwelcome comments or conduct based on sex, race or other legally protected characteristics unreasonably interferes with an employee's work performance or creates an intimidating, hostile or offensive work environment. Anyone in the workplace might commit this type of harassment - a management official, co-worker, or non-employee, such as a contractor, vendor or guest.

The victim does not have to be the person harassed, but can be anyone affected by the offensive conduct. Unlawful harassment may occur without economic injury to, or discharge of, the victim.

- C. Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance. Harassment can occur in a variety of circumstances, including, but not limited to, the following:
1. Examples of actions that may create sexual harassment includes but are not limited to:
 - Leering, i.e., staring in a sexually suggestive manner
 - Making offensive remarks about looks, clothing, body parts
 - Touching in a way that may make an employee feel uncomfortable, such as patting, pinching or intentional brushing against another's body
 - Telling sexual or lewd jokes, hanging suggestive posters, making sexual gestures, etc.

**SANDUSKY COUNTY
PERSONNEL POLICY AND PROCEDURE MANUAL**

DISCRIMINATORY HARASSMENT

**SECTION 5.14
PAGE 2 OF 4**

- Sending, forwarding or soliciting sexually suggestive letters, notes, emails, or images including greeting cards with “non-forensic” nudity that could be considered porn
 - Viewing or sharing of nonforensic nudity (porn) while on duty in any format (e.g. online, in print, via camera phone, etc.)
 - Implication or threat that an employee or applicant’s employment, assignment, compensation, advancement, career development, or other condition of employment will depend on the employee or applicant’s submission to sexual harassment in any form.
2. Other actions which may result in discriminatory harassment, but are non sexual in nature, include but are not limited to:
- Use of racially derogatory words, phrases, epithets
 - Demonstrations of a racial or ethnic nature such as a use of gestures, pictures or drawings which would offend a particular racial or ethnic group
 - Comments about an individual's skin color or other racial/ethnic characteristics
 - Making disparaging remarks about an individual's gender that are not sexual in nature
 - Negative comments about an employee's religious beliefs (or lack of religious beliefs)
 - Expressing negative stereotypes regarding an employee's birthplace or ancestry
 - Negative comments regarding an employee's age when referring to employees 40 and over
 - Derogatory or intimidating references to an employee's mental or physical impairment.
 - Posting or expressing derogatory or intimidating references on any type of social media networks (i.e. facebook, myspace, emails, etc.).
- D. Employees are encouraged to inform the harasser directly that the conduct is unwelcome and must stop. Any employee or applicant who believes they have been the subject of harassment is responsible to report harassment to their supervisor, Appointing Authority, the County's ADA/EEO Coordinator, or other staff members of Sandusky County Human Resources Office using the EEO/Anti-discrimination Complaint Form at an early stage to prevent its escalation.

**SANDUSKY COUNTY
PERSONNEL POLICY AND PROCEDURE MANUAL**

DISCRIMINATORY HARASSMENT

**SECTION 5.14
PAGE 3 OF 4**

An investigation of all complaints shall be undertaken immediately. The County will make every effort to keep the complaint confidential, except as required by law and as may be reasonably necessary to successfully complete the investigation. It will be a violation of this policy for any person who learns of the investigation or complaint to take any retaliatory action that affects the work environment of the complainant or any person involved in the investigation.

- E. It is the responsibility of all employees to aid the Employer in maintaining a work environment free from discrimination, including harassment. Therefore, it is the responsibility of each employee, including supervision and management, to immediately report any instances of harassment to the proper authority (see Complaint Procedure, Section 5.14.1). Any employee who observes any conduct that may constitute harassment of any County employee, but fails to report same, may be subject to disciplinary action.

It is further the responsibility of each supervisor to ensure that all employees who report to the supervisor are aware of the policy against harassment, that they are aware of the complaint and reporting procedures, and that they are aware of the consequences of engaging in harassment.

It is the responsibility of each SCAA to maintain an environment free from harassment and shall ensure that its supervisors and department heads are sufficiently trained in recognizing harassment, the complaint and reporting procedures, the proper methods of investigating complaints of harassment, and the disciplinary procedure regarding harassment.

The County shall also ensure that all employees are aware of this policy and will ensure that all employees receive sufficient training to maintain an environment free from harassment. Additionally, each newly hired employee will receive training in this policy as a part of their employee orientation and will sign acknowledgement of receipt and understanding of this policy.

- F. Once a complaint of harassment has been received, or an instance of such harassment has been reported (see Complaint Procedure, 5.14.1), there will be an immediate investigation of the matter in accordance with the investigation procedure. The complaining employee and/or the reporting employee will be informed of the results of the investigation.

**SANDUSKY COUNTY
PERSONNEL POLICY AND PROCEDURE MANUAL**

DISCRIMINATORY HARASSMENT

**SECTION 5.14
PAGE 4 OF 4**

If, after a thorough and prompt investigation, it is determined harassment has occurred, the employee who has been found to have committed such harassment will immediately be disciplined in accordance with the disciplinary procedure for harassment. The complaining and/or reporting employee(s) will be informed of the results of the disciplinary procedure.

If, after the investigation, it is determined that no harassment occurred, or that there is insufficient evidence to determine whether or not such harassment has occurred, the complaining employee and/or reporting employee will be informed of same.